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May 20, 2010

**Confidential - Attorney/Client
Communications; Work Product**

VIA U.S. MAIL AND E-MAIL

Mr. Bradley Arnold
Sumter County Administrator
910 N. Main Street, Suite #201
Bushnell, FL 33513

Re: Sumter County Right of Way Litigation Status

Dear Brad:

The following is the May 20, 2010, status report regarding litigation activities for each of the right-of-way acquisition projects being handled by our firm for Sumter County since our April 2010 status letter:

County Road 139/County Road 462 (Parcels 101, 101A, 102, 103, 104, 105, 108, 109, 109A, 110, 112, 113, 114, 120, 121, 122, 123, 124, 125, 126, 127, 128, 131, 132 & 133) On May 27, 2009, the County filed an eminent domain action (Case No. 2009-CA-000467) to acquire Parcels 101, 101A, 102, 103, 104, 105, 108, 109, 109A, 110, 112, 113, 120, 121, 122, 123, 127, 128, 131, 132 and 133 which are needed for improvements to County Roads 139 and 462. On August 10, 2009, an Order of Taking hearing to acquire the parcels prior to the entry of a final judgment was held. On August 21, 2009, good faith deposits were made and title to the parcels was acquired by the County. On August 14, 2009, the County filed another eminent domain action to acquire two additional parcels-Parcels 125 and 126. The Stipulated Orders of Takings as to Parcels 125 and 126, owned by Russell D. Vick and Royce and Alice Vick were entered by the Court on October 21, 2009 and good faith deposits were made on October 30, 2009. Therefore, the County now owns all right-of-way needed to complete the project. We have resolved all outstanding claims as to Parcels 110, 113, 120, 121, 122, 125, 126 and 133. Stipulated Final Judgments Taxing Attorneys' Fees and Expert Fees for Parcels 110, 113, 123, 125, and 126 were entered by the Court on March 29, 2010. *Since our last status letter, the mediations for Parcels 108, 109, 109A, 112 and 128 were held and settlements were reached on each parcel. The BOCC approved all settlements. The Stipulated Final Judgment for Parcel 128 has been entered by the Court and the Stipulated Final Judgments for Parcels 108, 109, 109A and 112 have been sent to the Court for entry. Finally, the mediation scheduled for March 29, 2010 for Parcel 127 has been cancelled and rescheduled for September 1, 2010 due to a conflict with the mediator's schedule.*

- **County Road 462:** See County Road 139/County Road 462.

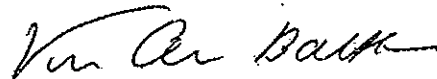
- **County Road 468 (4 Lane)-- Parcels 100, 101A, 101B, 102A, 102B, 102C, and 103:** Parcels 100, 101A and 101B have settled. The remaining parcels on the project are Parcels 102A, 102B and 102C (consisting of 140,263 sq. ft.), owned by Bobby E. Hunt and Carolyn Hunt (the "Hunts") and Parcel 103 (consisting of 16,961 sq. ft.), owned by Grace Tabernacle of Worship, Inc. ("Grace Tabernacle"). In 2008, the County and Grace Tabernacle reached a tentative settlement which failed due to an unsuccessful attempt to resolve an issue related to a Progress Energy easement across Grace Tabernacle's property. Since then, the County, Grace Tabernacle and Progress Energy have attempted unsuccessfully to resolve the easement interest. *Since our last status letter, we held pre-suit mediations on May 13, 2010. The parties have reached a conditional settlement regarding Parcels 102A, 102B and 102C which includes the purchase of an additional 138,925 sq. ft. needed to relocate the Progress Energy power lines. The parties settled for \$1,305,000 for the fee takings and \$400,000 for the purchase of the 3 billboards owned by Tom Gunter d/b/a Gunter Advertising. This settlement is conditioned upon BOCC approval and approval from Sumter County to relocate the subject billboards on the remainder property. The parties have also reached a settlement regarding Parcel 103 which includes the purchase of an additional 18,617 sq. ft. needed to relocate the Progress Energy power lines. Parcel 103 settled for \$260,000 for the fee taking. This settlement is conditioned upon BOCC approval.*
- **County Road 468 @ Turnpike (13 Outdoor Advertising Signs):** This project involves the acquisition of 13 billboards. Draft appraisals were prepared for the County in approximately 2008. *We are awaiting further directions from the County regarding this project.*
- **County Road 466A (Phase II Outdoor Advertising Signs)-Parcels 100 and 101:** These parcels have billboards owned by Oxford Outdoor Advertising located on them and pre-suit negotiations with the billboard owner's attorney failed. The County rejected the Owner's appraisal of \$613,800.00 and resubmitted an offer of settlement of \$33,100.00 for Parcel 100 and \$33,100.00 for Parcel 101. We were able to obtain dedications of the underlying fee needed for the road improvements from Joseph Dunagan and The Villages. Therefore, the only remaining issues are the leasehold and physical billboard structures owned by Oxford Outdoor Advertising. On August 10, 2009, the Court entered a Stipulated Order of Taking as to Parcels 100 and 101 and good faith deposits were made on August 21, 2009. The County served its updated appraisal reports on Oxford's counsel and held a mediation conference on December 3, 2009 pursuant to the trial order in this case. The mediation was unsuccessful and we continued to move forward with trial preparations. On March 5, 2010, 15 days prior to trial, the County and Oxford negotiated a settlement. The stipulated final judgment in the amount of \$337,500.00 for the billboards and \$90,325.00 for statutory attorneys' fees and costs was entered by the Court on March 29, 2010. The stipulated final judgment excluded experts' fees and costs. We received a Motion to Tax Expert Fees and Costs and supporting invoices for all experts retained by the billboard owner. *Since our last status letter, we successfully negotiated a settlement of all expert fees and attorney costs. The Stipulated Final Judgment is pending BOCC approval on May 25, 2010.*

- **County Road 616 Improvement Project—Sumter County, Florida v. Arthur M. Hayes, et al., Case No. 2007-CA-001299, Parcels 100, 101, 104, 105, 700, 701, 705, 800 and 804.** Parcels 101 and 701 owned by Harry Goodstein, Sarah Goodstein and Minnie Goodstein (the “Goodsteins”) are the last active parcels on this project. The Goodsteins are deceased and an Administrator/Attorney Ad Litem has been appointed by the Court to resolve these interests. Probate actions were filed and finalized with the Court who adjudicated ownership of the property as follows: 50% to Millicent Goodstein and 50% to the Goodstein Memorial Trust. Unfortunately, since the completion of said probate actions, Millicent Goodstein has passed away and her estate is being probated in New Hampshire and Charles Goodstein has been appointed Personal Representative of the Estate. The parties entered into a Stipulated Final Judgment, which was entered by Judge Hallman on December 1, 2009, wherein the property owners received no additional compensation for the taking of Parcels 101 and 701. Furthermore, a Stipulated Final Judgment Taxing Attorney Ad Litem and Guardian Ad Litem Fees was entered by Judge Hallman on December 11, 2009. On February 3, 2010, the Attorney Ad Litem filed a Motion to Withdraw Funds that were deposited into the Court Registry in January 2008. The Attorney Ad Litem filed an Amended Motion to Disburse Funds and proposed Order. *Since our last status letter, a hearing was held on May 10, 2010 to disburse the funds held in the Court Registry. Once final disbursements have been made by the Clerk of Court, we will file and serve a Final Disposition Form on all parties closing this matter.*

Please call me if you have any questions concerning these matters.

Sincerely,

de la PARTE & GILBERT, P.A.



Vivian Arenas-Battles